

Order

Michigan Supreme Court
Lansing, Michigan

September 16, 2015

Robert P. Young, Jr.,
Chief Justice

150616

Stephen J. Markman
Mary Beth Kelly
Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein,
Justices

CRAIG HECHT,
Plaintiff-Appellee,

v

SC: 150616
COA: 306870
Genesee CC: 10-093161-CL

NATIONAL HERITAGE ACADEMIES, INC.,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the October 28, 2014 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address whether the Court of Appeals erred: (1) when it found sufficient direct evidence of racial discrimination on the basis of a witness's interpretation or understanding of what the defendant's representative said to her; (2) when it concluded that the burden-shifting analysis of *McDonnell Douglas Corp v Green*, 411 US 792; 93 S Ct 1817; 36 L Ed 2d 668 (1973), was not applicable and that there was sufficient circumstantial evidence that the plaintiff was similarly situated to African-American employees who had made race-based remarks in the past; and (3) when it held that the trial court did not abuse its discretion in admitting evidence of the defendant employer's disclosures, which were mandated by MCL 380.1230b, to the plaintiff's prospective employers.

The Labor and Employment Law Section of the State Bar of Michigan is invited to file a brief amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 16, 2015


Clerk